United Nations A/C.6/55/SR.6

General Assembly
Fifty-fifth session

Official Records

Distr.: General
20 February 2001
English
Original: Spanish

Sixth Committee

Summary record of the 6th meeting
Held at Headquarters, New York, on Thursday, 12 October 2000, at 10 a.m.

Chairman: Mr. Politi ..... (Italy)
later: Mr. Vázquez (Vice-Chairman) ..... (Ecuador)

Contents

Agenda item 163: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (*continued*)

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The meeting was called to order at 10.05 a.m.

Agenda item 163: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (*continued*) (A/55/33)

1. **Ms. Álvarez Núñez** (Cuba) said that, in the Millennium Declaration, the heads of State and Government had reaffirmed their commitment to the purposes and principles of the Charter and the need to strengthen the Organization. Accordingly, it was clear that the Special Committee had an essential role to play. However, in recent years, some delegations had complained about the practical results of the Special Committee's work and had questioned the need to maintain it. In her delegation's view, while the Special Committee's working methods were in need of improvement, the lack of efficiency attributed to it resulted from certain delegations' well-known practice of trying surreptitiously to impose concepts that were inconsistent with the Charter and international law, with a view to furthering their own interests. By those means, the Special Committee's sessions were being shortened, programmes were being made contingent upon the outcome of subsequent initiatives of various types and experts were being called upon to prepare specialized reports that were being given higher priority than direct debate between Member States. It was unacceptable that those practices should lead to a legislative reform of the Organization that did not duly reflect the opinions of the majority of the Member States or the rules and procedures laid down in the Charter of the United Nations and the relevant regulations. In that connection, since 1992, Cuba had maintained that there was a need for an in-depth reform of the United Nations involving the strengthening of its deliberative organs, including the Special Committee. It was therefore very encouraging that the Millennium Declaration reaffirmed the central position of the General Assembly as the chief deliberative, policy-making and representative organ of the United Nations.

2. **Mr. Gopinathan** (India) said that urgent action must be taken to solve the problem of assistance to third States affected by the application of sanctions. Economic embargoes and trade sanctions had caused great hardship to third States and their peoples, especially in the developing world. That need was evident from the conclusions of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States (A/53/312). India endorsed those conclusions.

3. The Sixth Committee should take the conclusions of the ad hoc expert group meeting into account and should evaluate them in the light of General Assembly resolution 51/208, by which the Security Council had been invited to consider the establishment of further mechanisms or procedures, as appropriate, with a view to achieving the objective of Article 50 of the Charter. That could only be done through the use of assessed contributions, which would provide a predictable source of funding that would be activated automatically whenever sanctions adversely affected third States. In that connection, the Security Council, which was the body that imposed sanctions, also had the primary responsibility for finding solutions to that problem and for taking steps to put into practice the resolve of the heads of State and Government, set out in the Millennium Declaration, to "minimize the adverse effects of United Nations economic sanctions on innocent populations, to subject such sanctions regimes to regular reviews and to eliminate the adverse effects of sanctions on third parties".

4. With respect to the maintenance of international peace and security, India felt that the revised working paper submitted by the Russian Federation (A/AC.182/L.100/Rev.1) should be taken into account. As the Movement of Non-Aligned Countries had indicated, sanctions should be used only after all available options under the Charter had been exhausted. Sanctions should be implemented strictly in accordance with the Charter, which did not provide for open-ended sanctions regimes.

5. India had noted with interest the working papers entitled "Strengthening of the role of the Organization and enhancing its effectiveness", which Cuba had submitted with a view to reforming the United Nations, inter alia, by making the Security Council more democratic and increasing the transparency of its working methods. He hoped that the question of reforming and expanding the Security Council would receive the attention it deserved.

6. With respect to the revised proposal submitted by Sierra Leone, entitled "Establishment of a dispute prevention and early settlement service", the Indian

delegation welcomed the clarifications made by the sponsors and the revised proposal submitted by the United Kingdom, which explained the scope and objectives of the draft and included references to existing mechanisms, including those created by major multilateral treaties. The sponsors had also taken into account the note by the Secretariat entitled "Mechanisms established by the General Assembly in the context of dispute prevention and settlement", which had been prepared at the request of the Special Committee. The new orientation which encouraged the use of existing mechanisms was a welcome change. However, India reiterated its view that the fundamental principle that the States parties to a dispute should be free to choose from the available means of peaceful settlement should not be affected.

7. His delegation thanked the Secretary-General for his efforts to reduce the backlog in the publication of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. The two publications were invaluable reference sources for Member States, academic and research institutions and individuals.

8. With regard to the working paper submitted by Japan on improving the working methods of the Special Committee, the suggestion that proposals for consideration should be submitted in a timely manner was particularly relevant, since all delegations would thus be able to examine the proposals in advance. The practice of holding the Committee's session in spring should also continue, as it had proved its usefulness by allowing all delegations to participate effectively in the work of the Committee. Given the importance and complexity of the issues dealt with by the Special Committee, the duration of its sessions must be maintained.

9. **Mr. Al-Kadhe** (Iraq) said that, with the breakdown of the bipolar system during the previous decade, increasing use was being made of resolutions of the Security Council to pursue the political objectives of a single State or small group of States, without regard for the principles of the Charter of the United Nations or for international law. For example, the imposition of embargoes and economic sanctions was an objective in itself, which at the same time destroyed the economies of States on pretexts that lacked any basis in international law. Indeed, international law was ignored and concomitant efforts made to de-emphasize the principles of sovereignty, national independence and non-interference in the internal affairs of States and to have unilateral recourse to the use of force.

10. In response to that situation, the international community had clearly reaffirmed in the United Nations Millennium Declaration its faith in the Organization and its Charter as indispensable foundations of a more peaceful, prosperous and just world. In that connection, it was essential for all States to actively participate in the work of the Special Committee, since the strengthening of the role of the Organization would help to redress the current imbalance between the Security Council and the General Assembly in the field of the maintenance of international peace and security.

11. He welcomed the revised working document submitted by the Russian Federation, which was extremely important in his view, since the United States of America maintained its sanctions against Iraq. The Charter of the United Nations placed no limitations on the abusive recourse to sanctions which, in many cases, were tantamount to genocide and vengeance against a people. Iraq had notified the Special Committee on several occasions that it was the victim of aggression by the United States of America, which enforced no-fly zones and applied sanctions that amounted to certain genocide.

12. There was no doubt that the sanctions against Iraq were a clear violation of the Charter of the United Nations and of international humanitarian law. That fact had been reiterated and confirmed by various United Nations agencies and by humanitarian and human rights organizations. The question of sanctions should be taken up by the General Assembly, since, even though other organs dealt with the matter, the General Assembly was competent to discuss it pursuant to Articles 10, 11 and 13 of the Charter, which allowed the Assembly to discuss any questions relating to the maintenance of international peace and security.

13. Iraq wished to reiterate the importance of the Special Committee's role with respect to the potential adverse consequences incurred by third States as a result of the application of sanctions, particularly in view of the ineffectiveness of existing mechanisms. The establishment of clear and concise criteria for the imposition and lifting of sanctions would therefore make a significant contribution towards alleviating the impact of sanctions on third States.

14. The principles of democracy were under threat in the United Nations because of the marginalization of the work of the General Assembly, which was being prevented from fulfilling its role in the maintenance of international peace and security, as provided for in the Charter. The fact that the Security Council had arrogated exclusively to itself not only that right but also responsibilities that were not entrusted to it by the Charter had created a situation in which the United States was attempting to use the Council to pursue its own political aims. At the same time, that State was doing everything in its power to neutralize the work of the Council whenever the latter sought to discharge its mandate in the field of the maintenance of international peace and security without bending to the will of the United States. It must be remembered that, because of the terrible crimes committed by the occupying Power in the Palestinian territories in violation of the Charter of the United Nations, the Geneva Conventions and the principles of international humanitarian law, the Security Council had sought to play the role entrusted to it by the Charter. However, the United States had threatened to use its veto if the Council adopted a binding resolution to force the occupying Power to end its aggression against the Palestinian people. As a result, the Security Council had adopted a vague resolution. Even so, however, the United States had abstained from voting in favour of the resolution.

15. **Mr. Shin** Hyun-Soo (Republic of Korea), referring to the sanctions regime in general and the issue of providing relief to third States in particular, expressed the hope that the international community would continue to make joint efforts to attain the goal of "smart sanctions" which would be both humane and effective. Every effort must, however, be made to exhaust all other options before sanctions were imposed. The initial reaction of Member States to the report of the ad hoc expert group meeting (A/53/312) had been favourable and positive, according to the report of the Secretary-General (A/54/383 and Add.1); accordingly, more substantive discussions on that issue should be held. He welcomed the continuing efforts of the Security Council to enhance the functioning of the sanctions committees and the work being done by the Economic and Social Council with regard to monitoring economic assistance to third States. He noted in particular the decision by the Security Council to create an informal working group to develop general recommendations on ways of improving the effectiveness of United Nations sanctions, which was to report its findings to the Council by 30 November 2000.

16. His delegation supported in principle the abolition of the Trusteeship Council, although it noted with interest the proposal of the Secretary-General (A/52/849) that the Trusteeship Council should be reconstituted as the forum through which Member States exercised their collective trusteeship of the global environment and common areas and that it should serve as a link between the United Nations and civil society in addressing areas of global concern.

17. He noted with interest the working paper submitted by Japan concerning enhancement of the efficiency of the Special Committee. Like others, his delegation believed that proposals to the Special Committee should be submitted as early as possible to allow for in-depth study before its sessions began. The Special Committee should focus on a few selected topics in order to avoid repetition and should also establish "sunset" or "cut-off" mechanisms in order to prevent discussions from dragging on.

18. **Mr. Valdivieso** (Colombia), speaking on behalf of the member States of the Rio Group, recalled that in the Cartagena de Indias Declaration Rio Group 2000: Commitment for the Millennium, adopted on 14 June 2000 during the fourteenth summit of the Rio Group, the Heads of State and Government had reiterated their commitment to the purposes and principles of the Charter of the United Nations and the norms of international law as a means of promoting international peace and security and that, in the Millennium Declaration, the representatives of the international community had made a commitment to spare no effort to make the United Nations a more effective instrument in the pursuit of its goals and objectives. Accordingly, the Rio Group was convinced that the Special Committee could make an important contribution to the revitalization of the United Nations as the only forum for legal discussions open to all States; it must nevertheless reform its methods of work. For example, sessions must begin with clearly defined objectives; proposals must be action-oriented in order to assist delegations in visualizing from the outset the orientation and possible results of their work and, in that regard, sponsoring delegations would have the heavy responsibility of assessing the level of support for their proposals and redefining related courses of action in order to achieve concrete results.

19. The Rio Group welcomed the report of the Secretary-General entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions" (A/55/295 and Add.1) and took note of the measures adopted by the sanctions committees in implementation of the practical proposals made by the President of the Security Council in his note of 29 January 1999 (S/1999/92). He stressed the importance of efforts to increase transparency in the work of the sanctions committees through the presentation of detailed and substantive reports by their chairpersons, and urged the Secretariat to continue its efforts to ensure that summary records of the formal meetings of those committees were made available promptly.

20. The Rio Group was following with great interest the work of the informal working group established by the Security Council (note S/2000/319 by the President of the Council dated 17 April 2000), and hoped that the recommendations it made to the Council would include practical suggestions on improving the effectiveness of sanctions, with regard to conditions for maintaining or lifting sanctions, pre- and post-assessment reports, ongoing evaluation of sanctions regimes, unintended impacts, humanitarian exemptions and cooperation with regional and other international organizations.

21. The Rio Group noted that, in his report on the work of the Organization (A/55/1), the Secretary-General had indicated that he shared the view emerging as a consensus among Member States, that the design and implementation of sanctions needed to be improved. The Special Committee should therefore undertake a detailed legal review of the conclusions and recommendations of the ad hoc expert group established by the Secretary-General in 1998 on that issue, the importance of which had been reiterated in the views of international organizations regarding its conclusions and recommendations, as contained in the report of the Secretary-General (A/55/295 and Add.1). The international financial institutions could play a major role in assessing the economic consequences of sanctions and providing financial assistance to affected third States. The World Bank, the United Nations Development Programme and, in particular, the World Food Programme had advocated a well-coordinated and multisectoral focus for the provision of humanitarian assistance under sanctions regimes.

22. The Rio Group agreed with some of the ideas contained in the revised working paper submitted by the Russian Federation (A/AC.182/L.100/Rev.1), in particular the idea that sanctions were an extreme measure which must have clearly defined purposes and a time frame, be applied in strict conformity with the provisions of the Charter and, once implemented, must be subject to regular review. The Rio Group was especially concerned about the humanitarian consequences of sanctions and believed that in designing and implementing sanctions, the opinions of international humanitarian organizations which enjoyed widespread respect should be taken into account.

23. With regard to the revised proposal submitted by Sierra Leone and the United Kingdom entitled "Establishment of a dispute prevention and early settlement service", more details were needed concerning its scope and aims. In view of the number of conflicts taking place in various parts of the world, the United Nations should indeed have a global strategy to prevent conflicts rather than reacting to them.

24. The Rio Group commended the Secretary-General on his report on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* (A/55/340) and welcomed the fact that *Repertory*-related tasks were included as distinct activities within the relevant section of the Organization's programme budget. The Rio Group supported the Secretary-General's initiative to speed up the preparation of the *Repertory* and *Repertoire* and to get rid of the backlog; it was most important that these documents were issued in good time in the various languages. Lastly, the Rio Group welcomed the experimental project set up during 2000 to put the *Repertory* and *Repertoire* on the Internet. It was good that, as a result, all the volumes of the latter published to date could be consulted.

25. **Mr. Ageyman** (Ghana) said that there were four important documents before the Committee: the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, the report of the Secretary-General on the implementation of provisions of the Charter related to assistance to third States affected by the application of sanctions, the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and the letter dated 11 July 2000 from the Permanent

Representatives of China, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan to the United Nations addressed to the Secretary-General. His delegation commended the Secretary-General for the progress made in reducing the backlog of the publication of the *Repertory* and the *Repertoire* and the United Kingdom for having supported the establishment of a trust fund to update the two sets of documents.

26. With regard to the effect of sanctions on third States, his delegation reaffirmed its belief that, although the Charter of the United Nations did not insist on the exhaustion of other means before resort to sanctions, its very intent and purpose indicated that other means for the resolution of disputes should be explored as a first option. In that regard, his delegation was encouraged by the studies carried out by the World Bank to assess the impact of sanctions on third States, specifically in the Federal Republic of Yugoslavia and Iraq (A/55/295/Add.1), which had concluded that third States should be adequately insulated from the effects of sanctions and that a workable methodology should be urgently developed to assess the potential and actual impact of sanctions. As for the need to target sanctions more precisely, his delegation concurred with the suggestions made at the 232nd meeting of the Special Committee, in April 2000, concerning the establishment of a permanent mechanism to address the issue of assistance to third States affected by sanctions; the development of a methodology for assessing the consequences actually incurred by third States as a result of preventive and enforcement measures; and the exploration of innovative and practical measures of international assistance to third States. His delegation was also encouraged by the practical steps taken by the sanctions committees to implement the recommendations contained in paragraph 5 of General Assembly resolution 54/107, especially in relation to the sanctions regimes prevailing in some parts of Africa and to efforts to establish channels of communication with regional and subregional organizations. The Secretary-General was also to be commended for establishing a panel of experts to improve the implementation of sanctions and the transparency of the work of the sanctions committees. The initial work done by the expert panel in Africa had proved useful. Lastly, his delegation noted with keen interest the establishment of an informal working group by the Security Council to examine the issue of sanctions in a comprehensive manner.

27. *Mr. Vázquez (Ecuador) took the Chair.*

28. **Mr. Baena Soares** (Brazil) said that his delegation associated itself with the statement made by the representative of Colombia on behalf of the Rio Group. The Special Committee had an important part to play in the current discussions on renewing the Organization, especially in view of the fact that the Millennium Summit had highlighted the need for greater democracy and transparency in the United Nations, most notably within the Security Council.

29. With regard to the maintenance of international peace and security, it was most important that sanctions should be used appropriately and proportionately in underpinning international order. His delegation had always held that they must be an instrument of last resort, to be applied when all other means had been exhausted. It therefore applauded the important initiatives to improve the administration and monitoring mechanisms of the sanctions regimes and, ultimately, to introduce "smart sanctions", in line with the practical proposals to that end set forth in the note by the President of the Security Council on the work of the sanctions committees (S/1999/92). Many of those ideas had served as a basis for the courageous and unprecedented report submitted by the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola (S/2000/203).

30. If sanctions were to be a force for peace and stability, the assessment of the humanitarian and wider economic consequences that they generated must be improved. His delegation therefore welcomed the Secretary-General's report (A/54/383 and Add.1), which explored innovative and practical measures of international assistance to third States. It was to be hoped that the Security Council would put the conclusions to good use when further, more effective measures were considered, pursuant to the note by the President of the Council (S/2000/319).

31. Sanctions should be the exception and not the rule. His delegation had always taken an active interest in discussion within the Special Committee on how to enhance the benefits of peacekeeping missions and other tools for the preservation or restoration of peace.

32. The persistence of conflict and instability in many parts of the world underscored the urgency of a stronger commitment to the peaceful settlement of disputes. His delegation was open to suggestions for

better equipping the International Court of Justice to deal with the welcome growth in the number of cases in its docket over recent years.

33. His delegation was convinced that the Special Committee's working agenda should be rationalized. It therefore commended the Japanese delegation for its proposal to that end and looked forward to contributing to the discussion on how to achieve a more result-oriented approach in the deliberations of the Special Committee.

34. **Ms. Abbas** (Indonesia) said that the work of the Special Committee was particularly important for achieving the goal of strengthening the United Nations in the twenty-first century with the active and equal participation of all Member States, large and small. The new millennium presented a unique opportunity to redouble efforts to develop generally acceptable legal standards that would guarantee the cardinal principles governing relations among States and to uphold the provisions of the Charter.

35. The imposition of economic sanctions on a country undeniably caused tremendous hardship to third States and their peoples, especially developing countries. Moreover, experience had shown that sanctions did not always achieve the desired objectives and had profound negative repercussions on the lives of the civilian population. While the Security Council had the authority to impose and enforce sanctions, it also had the corresponding responsibility of implementing the relevant provisions of the Charter, to ensure that non-target States did not suffer their adverse consequences. The Council should therefore minimize the damage suffered by third States by establishing relief mechanisms. She drew attention to the reports A/53/312, A/54/383 and Add.1 and A/55/295 and expressed her delegation's appreciation for the continuing work to develop a methodology for assessing the consequences incurred by third States.

36. Document A/AC.182/L.100 provided a useful basis for future efforts relating to criteria for the introduction of sanctions. It was essential to consider the humanitarian impact of open-ended sanctions, especially to ensure that appropriate conditions were created for allowing adequate supplies of humanitarian material to reach the civilian population.

37. Document A/AC.182/L.89/Add.2 and Corr.1 provided a basis for discussion on establishing a comprehensive legal framework for peacekeeping operations. The success of any peacekeeping activity required a clear identification of mandate, command structure and rules of engagement. Equally important was the reaffirmation of the basic principles of peacekeeping, including neutrality, impartiality and non-interference in the affairs of States parties to the conflict, as reflected in the final document adopted at the eleventh Ministerial Conference of the Movement of Non-Aligned Countries, held in 1994, and reiterated at the twelfth Conference of Heads of State or Government of Non-Aligned Countries, held in 1998.

38. Lastly, with regard to the working methods of the Special Committee, her delegation considered that since that body had to examine many important and complex issues, it would not be prudent to reduce the length of its sessions.

39. **Mr. Shebani** (Libyan Arab Jamahiriya) expressed the hope that the Organization could become a more effective instrument to ensure development in all countries, to fight against disease, ignorance and injustice in all their forms, and to combat violence, terror and crime in accordance with section VIII of the United Nations Millennium Declaration (A/55/L.2). The validity of the principles and purposes of the United Nations could not be questioned, but their credibility could be established only through mechanisms allowing for their effective application. The Charter contained a well-defined system of principal and subsidiary organs, and any imbalance in their work would obviously have repercussions for the functioning of the Organization as a whole.

40. The report of the Special Committee touched upon a number of important issues, particularly in relation to Chapter III of the Charter. Regarding the Charter provisions related to assistance to third States affected by the application of sanctions, it also contained a number of views and proposals on how best to protect or compensate those States; however, it did not examine the reasons why sanctions were imposed on particular States. Some proposals also suggested that a mechanism should be agreed upon to govern the imposition of sanctions, that they should be imposed only after all peaceful settlement efforts had been exhausted, and that they should only be decreed by the Security Council under Chapter VII of the Charter for a determined duration stipulated in the resolution itself. There was also a need to evaluate the humanitarian effects of sanctions on marginalized people in the country concerned, without taking into

account the effects in third States. It was also suggested that the nature of sanctions should be determined clearly, that they should have a specific target and that they should be reviewed periodically by the General Assembly and the Security Council.

41. The Charter had entrusted the Security Council with the responsibility of maintaining international peace and security. However, that organ had become almost a toy in the hands of some of its members, who used it only to serve their own interests through the application of the right of veto and a selective interpretation of some of the provisions of the Charter. His delegation therefore endorsed any proposal aimed at reforming the Council in terms of its membership or its working methods, so that no one State would have the right to adopt decisions unilaterally. Council meetings should be public and its rules of procedure should be reviewed by the General Assembly. The right of veto should be abolished or, failing that, should at least be granted to all the members of the Council. It would also be appropriate to broaden the role of the Security Council in the maintenance of international peace and security. His delegation therefore welcomed the working papers A/AC.182/L.94 and Add.1, which contained a number of positive ideas on reactivating the role of the General Assembly and restoring a balance between the General Assembly and the Security Council regarding the maintenance of international peace and security.

42. His delegation also endorsed the proposal contained in document A/AC.182/L.104/Rev.1, the thrust of which was to declare that military action by air, land or sea forces against Member States of the United Nations for the purposes of the maintenance of international peace and security, was permissible only on the basis of a decision of the Security Council pursuant to Chapter VII of the Charter of the United Nations.

43. His delegation had submitted several proposals in that context, the most recent of which appeared in document A/AC.182/L.99. Its main points were: (a) to explore ways of strengthening the role of the General Assembly in the maintenance of international peace and security by giving it the right to adopt resolutions in that connection, since it was the only truly universal and democratic body within the Organization and its members enjoyed true sovereign equality. It was important to affirm the General Assembly's right to ratify decisions and resolutions taken by the Security Council, especially those of a more substantive nature; (b) to develop ways of enhancing the relationship between the General Assembly and the Security Council, so that the latter became the body responsible for executing General Assembly resolutions; (c) to consider the adverse consequences of invoking the right of veto, to explore ways to limit its frequent use including the identification of issues with respect to which such use might not be made; (d) to adopt specific criteria whereby the Security Council could be enlarged on the basis of sovereign equality among States and equitable geographic distribution; (e) to formulate a precise definition of what constituted a threat to international peace and security in order to ensure that there was no resort to action under Chapter VII of the Charter in cases that did not constitute such threat; and (f) to explore the effective implementation of Article 31 of the Charter. His delegation hoped that the Special Committee would consider those proposals, paragraph by paragraph, at its next session.

44. His delegation considered that the role of the International Court of Justice should be strengthened and that it should be provided with all possible resources to enable it to carry out its tasks, which were constantly increasing. It was also in favour of the proposal contained in document A/AC.182/L.104/Rev.1 that an advisory opinion should be sought from the International Court of Justice concerning the legal consequences of the use of force by States without prior authorization from the Security Council or outside the context of the exercise of the right to self-defence. Many States were opposed to such acts, which flagrantly breached the provisions of the Charter, especially the principle of the sovereignty of States and non-interference in their internal affairs.

45. His delegation attached great importance to the role played by the Special Committee and the mandate entrusted to it. It therefore asked States to give the Committee sufficient time to accomplish its work.

46. **Mr. Sotirov** (Bulgaria) said that his delegation aligned itself with the statement by the representative of France on behalf of the European Union. It attached particular importance to the implementation of Article 50 of the Charter of the United Nations. Bulgaria's overall losses caused by the strict application of the sanctions imposed by the Security Council on Iraq, the former Yugoslavia and the Libyan Arab Jamahiriya amounted to more than $10 billion, which was equivalent to the country's foreign debt.

47. While recognizing the importance of sanctions as an integral element of the collective security provisions of the Charter, his delegation considered that preventive and enforcement measures under Chapter VII of the Charter should be carefully designed. Every effort should be made to prevent or minimize the possible adverse impact of sanctions on third States. His delegation noted with satisfaction the provision contained in paragraph 9 of the Millennium Declaration and, in that connection, it supported the establishment of effective monitoring mechanisms and the improvement of the administration of sanctions. The introduction of specific mechanisms for rendering assistance to affected third States was also of great importance.

48. The issue of the implementation of the provisions of the Charter relating to assistance to third States affected by the imposition of sanctions had been extensively discussed in both the Special Committee on the Charter and the Sixth Committee, and a series of resolutions had been adopted as a result. His delegation endorsed the view that the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination had an important role to play in mobilizing the economic assistance provided by the international community and the United Nations system to third States. The relevant United Nations bodies also had an important role to play in the process of identifying practical solutions to the special economic problems of such States. The recommendations and conclusions of the ad hoc expert group constituted a good basis for the elaboration of a methodology for assessing the adverse effects of the application of sanctions on third States and for the consideration of innovative and practical measures of assistance to such States. His delegation would therefore appreciate hearing the Secretary-General's views as soon as possible in order to accelerate the finalization of the work on the issue, so that the relevant ideas of the expert group could be put into practice.

49. His delegation noted with satisfaction the adoption of Economic and Social Council resolution 2000/32, which contained the decision to continue consideration of the issue, taking into account the relevant decisions of the General Assembly. It was to be hoped that the relevant draft resolution, of which Bulgaria was a sponsor, would receive the support of Member States.

50. **Mr. Uykur** (Turkey) said that his country had suffered considerably from the adverse effects of sanctions and therefore hoped that the deliberations within various United Nations institutions would be concluded and a functional mechanism established with respect to assistance to third States affected by sanctions. In that regard, he stressed the importance of the various reports issued on the subject, which appeared as documents A/53/312, A/54/383 and Add.1 and A/55/295. Practical ideas to alleviate the burden shouldered by third States affected by sanctions had been submitted to the Committee. The relief measures suggested included the granting of commercial exemptions or concessions, consultations with the affected States, the establishment of a fund and the possibility of giving priority to the contractors of third States for humanitarian investments in the target State.

51. The findings of the ad hoc expert group demonstrated, once again, that it was time to obtain results. One way of doing so would be to establish a working group to study effective measures of assistance to third States affected by the application of sanctions. In that connection, he stressed the responsibility of the Security Council to act without delay in response to the applications of States under Article 50 of the Charter of the United Nations. His delegation was pleased that the working paper submitted by the Russian Federation entitled "Basic conditions and standard criteria for the introduction of sanctions and other coercive measures and their implementation" stated that the creation of a situation in which the consequences of the imposition of sanctions would inflict material and financial harm on third States was inadmissible.

52. With regard to the peaceful settlement of disputes, his delegation considered that the consent of the parties to a dispute should be required before the disagreement was referred to the dispute-resolving board; the proposed text needed further elaboration in that regard. As for the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*, his delegation commended the Secretary-General's efforts to reduce the backlog in their publication. With regard to other topics introduced during the 1999 session of the Special Committee, he emphasized that issues of a political nature should be resolved in the forums where they originated, since applying to an international court would only confound the intended objectives. Lastly,

referring to the Committee's working methods, his delegation considered that meetings should start on time and conference services should be better utilized. Rather than shortening the Committee's sessions, ways of increasing its efficiency should be sought.

53. **Mr. Zhdanovich** (Belarus) said that the implementation of the provisions of the Charter of the United Nations relating to assistance to third States affected by the application of sanctions should continue to be one of the Special Committee's priorities. Sanctions should be applied only in cases of emergency, after all means of resolving the problem in a peaceful manner had been exhausted; and before their imposition there should be a preliminary assessment of the impact they were likely to have on the State in question and on third States. Moreover, sanctions should not be imposed for an indefinite period. Periodic assessments of their impact should be carried out so that the Security Council could make them less stringent or, where appropriate, lift them. His delegation supported the proposal that methods should be developed to assess the effects of sanctions on third States and that effective and innovative ways should be found to provide international assistance to third States. The United Nations, its funds, programmes and other international bodies should play a leading role in tackling the specific economic problems facing third States as a result of the application of sanctions.

54. The Security Council was the only body competent to impose sanctions and his delegation therefore categorically rejected the unilateral imposition of any form of sanctions without a decision by the Council. The working paper submitted by the Russian Federation entitled "Basic conditions and criteria for the introduction of sanctions and other coercive measures and their implementation" provided a good basis for a discussion of the issue of sanctions in the context of the strengthening of the role of the Security Council and the United Nations as a whole.

55. His delegation fully supported the working paper submitted by the Russian Federation entitled "Fundamentals of the legal basis for United Nations peacekeeping operations in the context of Chapter VI of the Charter of the United Nations". With regard to the working paper submitted by the Russian Federation and Belarus, his delegation emphasized the need to obtain an advisory opinion from the International Court of Justice in relation to certain Articles of the Charter concerning the use of armed force in the maintenance of international peace and security; such a course of action would be no reflection on the competence of the Security Council. The Special Committee had every right to submit proposals to the International Court of Justice to obtain a legal ruling concerning issues it was considering in accordance with its mandate.

The meeting rose at 12.25 p.m.